

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

V.

QUICKEN LOANS INC.,

Defendant.

Civil Action No.
2:16-cv-14050 (MAG) (RSW)

District Judge:
Hon. Mark A. Goldsmith

Magistrate Judge:
Hon. R. Steven Whalen

**UNITED STATES' UNOPPOSED MOTION FOR A STAY OF THE
ABOVE CAPTIONED MATTER IN LIGHT OF LAPSE OF
APPROPRIATIONS**

Pursuant to Federal Rule of Civil Procedure 6, the United States, by and through its undersigned counsel, respectfully moves for a stay of the above captioned matter.

1. At the end of the day on December 21, 2018, the appropriations act that had been funding the Department of Justice (“Department”) expired and appropriations to the Department lapsed. The same is true for several other Executive agencies, including the Department of Housing and Urban Development (“HUD”). The Department does not know when funding will be restored by Congress.

2. Absent an appropriation, Department attorneys and employees of HUD are prohibited from working, even on a voluntary basis, except in very limited circumstances, including “emergencies involving the safety of human life or the protection of property[,]” 31 U.S.C. § 1342, or where funds are available through non-appropriated sources.

3. In light of the above, the United States requests a stay of the above captioned matter until Congress has restored appropriations to the Department and HUD.

4. If this motion is granted, undersigned counsel will notify the Court as soon as Congress has appropriated funds for the Department and HUD. The Government requests that, at that point, all current deadlines for the parties be

extended commensurate with the duration of the lapse in appropriations (e.g., if the lapse in appropriations lasts 7 calendar days, the pending deadlines for summary judgment and Daubert briefing would be extended by 7 calendar days).

5. Government counsel met and conferred with counsel for Quicken Loans regarding this motion and learned Quicken Loans has no objection to this motion.

WHEREFORE, although the undersigned regrets any disruption caused to the Court and the other litigants, the Government hereby moves for a stay of the above captioned matter until Department attorneys and their HUD counterparts are permitted to resume their usual civil litigation functions.

Respectfully submitted,

JOSEPH H. HUNT
Assistant Attorney General

MATTHEW SCHNEIDER
United States Attorney

By: /s/ Samuel J. Buffone Jr.
Attorney, Commercial Litigation Branch
P.O. Box 261, Ben Franklin Station
Washington, DC 20044
(202) 616-2945

Attorneys for the United States of America

Certificate of Service

I hereby certify that on December 27, 2018, I electronically filed the foregoing paper with the Clerk of the Court using the ECF system which will send notification of such filing to the following:

Jeffrey B. Morganroth
MORGANROTH & MORGANROTH, PLLC
344 North Old Woodward Avenue, Suite 200
Birmingham, MI 48009

Thomas M. Hefferon
William Kyle Tayman
Sabrina M. Rose-Smith
GOODWIN PROCTER LLP
901 New York Avenue, NW
Washington, DC 20001

/s/ Samuel J. Buffone. _____
Samuel J. Buffone
Attorney, Commercial Litigation Branch
P.O. Box 261, Ben Franklin Station
Washington, DC 20044
(202) 616-2945
Email: Samuel.j.buffone@usdoj.gov